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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/847,001	05/01/2001	Yong-Moon Seon	678-618 (P9660)	4812
28249	7590	04/05/2005	EXAMINER	
DILWORTH & BARRESE, LLP 333 EARLE OVINGTON BLVD. UNIONDALE, NY 11553			GELIN, JEAN ALLAND	
			ART UNIT	PAPER NUMBER
			2681	

DATE MAILED: 04/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/847,001	SEON, YONG-MOON	
Examiner		Art Unit	
Jean A Gelin		2681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 22 December 2004.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-4, 16 and 17 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-4, 16, 17 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. This is in response to the Applicant's arguments and amendment filed on December 22, 2004 in which claims 1, 16, and 17 have been amended. Claims 1-4, 16, and 17 are currently pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1-4, 16, and 17 are rejected under 35 U.S.C. 102(a) as being anticipated by Yegani et al. (WO 00/11879).

Regarding claim 1, Yegani teaches a method for controlling a priority access and channel assignment (PACA) call in a mobile telecommunication system, the method comprising: sending a new origination message from a mobile station in a PACA state to a base station (page 7, lines 32-37); sending a service request message for the PACA call from the base station to a mobile switching center (page 8, lines 9-13); requesting from the mobile switching center that the base station assign a traffic channel to the mobile station; assigning an available traffic channel to the mobile station to start a communication (page 10, lines 15-20); and distinguishing the PACA call service from an ordinary call service by charging the subscriber based on the PACA

reorigination indicator included in the new reorigination message (page 4, lines 20-32, page 9, line 7 to page 10, line 34).

Regarding claim 2, Yegani teaches wherein the new origination message includes a parameter for indicating that that the PACA call is requested again (page 14, lines 9-26).

Regarding claim 3, Yegani teaches wherein the available traffic channel is assigned to the mobile station to start a communication by the base station (page 14, lines 12-18).

Regarding claim 4, Yegani teaches wherein the PACA call service is distinguished from the ordinary call service by the mobile switching center (page 19, lines 25-37).

Regarding claims 16 and 17, the claims are interpreted and rejected for the same reason as set forth in the rejections of claims 1 and 4.

Response to Arguments

4. Applicant's arguments filed 12/22/04 have been fully considered but they are not persuasive.

The Applicant argues that Yegani fails to teach that the MSC distinguishes the PACA call service from the ordinary call service in charging the subscriber based on the PACA reorigination indicator PACA_REORIG contained in the reorigination message.

However, the Examiner maintains the preceding limitation is disclosed in the system of Yegani. Yegani teaches subscribers having PACA pay a premium for the

priority. For instance, when resources are not available to process a conventional call, the MSC sends a PACA command message to base station to service the call (i.e., corresponding to a premium charge to serve the priority call, and denied ordinary call when resources are not available) (see page 6, lines 20-33 and page 9, line 7 to page 10, line 34). Therefore, the claimed invention is read on the system of Yegani, and the rejection is final.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean A Gelin whose telephone number is (703) 305-4847. The examiner can normally be reached on 9:30 AM to 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (703) 306-0003. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JEAN GELIN
PRIMARY EXAMINER

JGelin
March 31, 2005

Jean Allard Gelin